

REMARKS

The rejection of Claims 1, 3-4 and 6-10 under 35 U.S.C. § 103(a) as unpatentable over, US 2004/0015012 (Hammon et al) in view of WO 2002/068378 by its English language equivalent US 2004/0116746 (Ono et al) and US 6057482 (Okada et al), are respectfully traversed.

The Examiner holds that it would have been obvious to adjust the feed rate of oxygen, in view of Ono et al and Okada et al, rather than cutting off the oxygen supply, in the method of Hammon et al to avoid an explosion range while maintaining optimum oxidation-reaction conditions.

In reply, Applicants maintain all the arguments made in traversal of this rejection in the previous response, which arguments are hereby incorporated by reference.

To summarize these arguments, they are that while Hammon et al discloses a process in which a feed of gas streams is automatically stopped by a computer system if the distance from the operating point to the nearest explosion limit is below a predetermined minimum value [0058]-[0062], the present invention instead increases or decreases a feed rate of a gas, and then increases or decreases a feed rate of another gas, in order to make a detour as shown in present Fig. 1 and thereby safely avoid an explosion on increase or decrease of an operating load; and that the presently-claimed invention is not simply adjusting a feed rate of oxygen below an explosion limit, especially since neither Ono et al nor Okada et al disclose or suggest that one of the feed rates is increased or decreased in a direction away from the explosion range (step 1) and then the other feed rate is increased or decreased to reach the composition B point (step 2), as recited in present Claim 1.

The Examiner's response to these arguments is that Hammon et al discloses that "a feed rate of the material to be oxidized and a feed rate of the gas containing molecular

oxygen are adjusted” and further, that it would have been obvious that adjusting either of these feed rates would alter the concentration of oxygen.

In reply, the only adjustment contemplated by Hammon et al other than automatic shut-off of the feed of gas streams when the operating point is too close to the explosion limit is initially setting and then keeping the content of at least one organic compound to be partially oxidized in the feed gas mixture below the limiting concentration of the compound [0033]. None of the applied prior art disclose or suggest what Applicants do. While the Examiner simply concludes that it would have been obvious, the underlying disclosures of the applied prior art do not support the holding of obviousness. In other words, the applied prior art neither discloses nor suggests increasing or decreasing a feed rate of a gas, **and** then increasing or decreasing a feed rate of another gas, in order to, in effect, safely avoid a potential explosion.

For all the above reasons, it is respectfully requested that the rejection be withdrawn.

All of the presently-pending claims in this application are believed to be in immediate condition for allowance. Accordingly, the Examiner is respectfully requested to pass this application to issue.

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Respectfully submitted,

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